

Chapter 5: Section 4(f) Evaluation

The following evaluation addresses the impacts of the Southern Corridor on Section 4(f) properties. Section 4(f) requirements are set forth in 49 U.S.C. 303 and 23 CFR 771.135. There are no Section 4(f) properties along any of the proposed Southern Corridor alternatives. In addition, based on the analysis provided below, there are no 4(f) properties along any of the proposed Southern Corridor alternatives.

Many of the impacts summarized in this chapter have been more fully described in Chapter 4, Environmental Consequences.

5.1 Proposed Action

The proposed Southern Corridor would be a four-lane, limited-access highway beginning at I-15 about 2 miles north of the Arizona border near the southwest end of St. George and connecting with SR 9 near Hurricane. The entire project is located in Washington County, Utah. Depending on the alternative selected, the highway would be between 20 and 26 miles long. A multiple-use trail for pedestrians, bicyclists, and equestrians would parallel the highway.

5.1.1 Purpose and Need

The primary purpose of the Southern Corridor is to provide a regional transportation facility between St. George, Washington City, and Hurricane that would complement local land use plans. The project would also accommodate areas of future growth, reduce some traffic on the existing and future network of arterial and city streets, and improve conditions in areas already developed. The Southern Corridor is not being proposed to reduce traffic on I-15 through St. George, Washington City, and Hurricane.

5.1.2 Project Alternatives

This EIS evaluates four alternatives: No-Build, 4300 West, 3400 West, and 2800 West. All build alternatives would include a trail system for pedestrians, bicyclists, and equestrians.

5.1.2.1 No-Build Alternative

The Council on Environmental Quality regulations (CEQ 1981) require that an EIS include a “no-action” (or “no-build”) alternative which, in this case, consists of not building the Southern Corridor. The No-Build Alternative would consist of improving the existing arterial system and adding a new interchange on I-15 at RP 13. The No-Build Alternative would be implemented as part of the cities’ future transportation planning to provide access to new developments as they are built to meet the expected growth.

5.1.2.2 4300 West Alternative

The 4300 West Alternative would start at the I-15 interchange at about RP 2 and extend 20 miles to the intersection of 4300 West with SR 9 near Hurricane. This alternative is the most westerly on SR 9. It would include about 11 interchanges on the Southern Corridor.

5.1.2.3 3400 West Alternative

The 3400 West Alternative would start at the I-15 interchange at about RP 2 and extend 22 miles to the intersection of 3400 West with SR 9 near Hurricane. This alternative would include about 10 interchanges on the Southern Corridor.

5.1.2.4 2800 West Alternative

The 2800 West Alternative would start at the I-15 interchange at about RP 2 and extend 26 miles to the intersection of 2800 West with SR 9 in Hurricane. This alternative is the most easterly on SR 9. It would include about 12 interchanges on the Southern Corridor.

5.2 Section 4(f) Properties

For the Southern Corridor project, a review of potential 4(f) properties was conducted based on those recreation areas and cultural resources that have the potential to be impacted by the project (see Section 4.3.8, Recreation Resources, and Section 4.15, Impacts on Historic, Archaeological, and Paleontological Resources). Many of the recreation resources analyzed in this EIS are outside the potential area for direct and constructive-use impacts, but were analyzed for potential impacts from restricted access caused by the Southern Corridor. Although the Southern Corridor is adjacent to the Sand Hollow Recreation Area, Fort Pearce ACEC, and some undefined trails, none of these are considered 4(f) properties as described below. The FHWA regulation, Section 4(f) (49 U.S.C. 303; 23 CFR 771.135), states that:

The [Federal Highway] Administration [FHWA] may not approve the use of land from a significant publicly owned public park, recreation area, or wildlife and waterfowl refuge, or any significant historic site unless a determination is made that there is no feasible and prudent alternative to the use of land from the property, and the action includes all possible planning to minimize harm to the property resulting from such use.

5.2.1 Sand Hollow Recreation Area

The Sand Hollow Recreation Area is a 16,564-acre site on BLM-administered public land within the Sand Mountain SRMA that will provide recreation opportunities in a scenic dune cliff environment for OHV users, equestrians, and hikers. The area within the SRMA but outside the Sand Hollow Recreation Area has only incidental, secondary, occasional, and/or dispersed recreational activities and is therefore not considered a 4(f) property. BLM has concurred with this determination (see Appendix I, Section 4(f) Properties).

The Sand Hollow Recreation Area is next to the recently designated (2003) Sand Hollow State Park, which includes the Sand Hollow Reservoir (see Figure 5-1, Section 4(f) Resources). The two areas combined serve as one of the premier recreation areas in Utah. Once completed, the Sand Hollow Recreation Area will include developed campground sites, staging areas to accommodate equestrian and motorized access on Sand Mountain SRMA, and trails linked to designated areas near the reservoir. While the Sand Hollow Recreation Area is on BLM-administered public land, the state park is on private land administered by WCWCD but operated by the State of Utah under a lease agreement. The lease agreement allows for easements of rights-of-way to be acquired by the WCWCD for highways.

The recreation area is managed cooperatively by the Utah Division of Parks and Recreation in partnership with BLM and WCWCD. WCWCD administers the lands and facilities around the state park, while day-to-day management of these lands and facilities is the responsibility of Parks and Recreation. Similarly, while BLM will continue to administer the Sand Mountain SRMA, both BLM and Parks and Recreation will jointly manage recreation activities within this area. It is expected that once the recreation area is completed, up to 500,000 recreationists will visit this area annually.

As part of the Sand Hollow project, a Sand Hollow Recreation Area Recreation Management Plan was developed by WCWCD, BLM, and the Utah Division of Parks and Recreation. This plan shows an exterior commuter road providing general access to the park area with an independent interior road system constructed around the state park's southern half to control access (see Figure 5-2, Sand Hollow State Park Facilities, and Figure 5-3, Sand Hollow Recreation Area Proposed Facilities). It is planned that fencing would be installed around the commuter road to control access to the park area.

The 2800 West Alternative follows the same alignment as the Sand Hollow commuter road and could be jointly developed. Because the commuter road is part of Recreation Area Management Plan, it is considered a planned transportation corridor. Section 4(f) does not apply to highway construction on a reserved ROW if it has been previously planned. Therefore, this site is not carried forward in the 4(f) analysis. The BLM, WCWCD, and Utah Division of Parks and Recreation have concurred with the joint development opportunity (see Appendix C, Pertinent Correspondence, and Appendix I, Section 4(f) Properties).

5.2.2 Historic Structures and Archaeological Sites

The FHWA regulation 23 CFR 771.135, Section 4(f) (49 U.S.C. 303), states:

In determining the application of Section 4(f) to historic sites, the [FHWA], in cooperation with the applicant, will consult with the State Historic Preservation Officer (SHPO) and appropriate local officials to identify all properties on or eligible for the National Register of Historic Places.... The Section 4(f) requirements apply only to sites on or eligible for the [NRHP], unless the [FHWA] determines that the application of Section 4(f) is otherwise appropriate.

Eighty-five eligible historic properties were identified in the project area, and up to 22 are adversely affected by the Southern Corridor build alternatives. Section 4(f) applies to all NRHP-eligible historic properties that are important for preservation in place. Section 4(f) does not apply to archaeological historic properties that are important only for their information potential. The sites determined to warrant preservation in place include rock art panels and sites with the potential

for human remains. Of the sites identified within the corridor, seven have been determined to warrant preservation in place (see Table 5.2-1).

Table 5.2-1. Archaeological Sites that Warrant Preservation in Place

Smithsonian Site Number	Cultural Affiliation	Site Type	Alternative	Adversely Affected
42Ws3567	Virgin Anasazi	Rock shelter	3400 West	No
42Ws3884	Euro-American	Canal	All alternatives	No
42Ws3886	Virgin Anasazi	Habitation	All alternatives	No
42Ws3888	Virgin Anasazi	Prehistoric rock art	4300 West 3400 West	No
42Ws3894	Late Archaic, Virgin Anasazi, and Southern Paiute	Rock shelter	3400 West	No
42Ws4273	Virgin Anasazi	Rock shelter	3400 West	No
42Ws54	Virgin Anasazi/Southern Paiute	Habitation, lithic and ceramic scatter, rock art	4300 West	No

Because none of the cultural resource sites that warrant preservation in place are used by the project, Section 4(f) does not apply.

5.2.3 Trails

Both pedestrian/bicycle and recreation trails cross the project area. Provided below is a 4(f) evaluation of these resources.

Pedestrian and Bicycle Trails. The primary trail system within the study area is the Three Rivers Trail, which is a system of existing and planned trails. The existing Virgin River Trail is a part of the Three Rivers Trail system. In addition, other community trails cross the study area, as shown in Figure 3-11, Pedestrian and Bicycle Trails. As discussed in Section 4.7, Impacts on Considerations Related to Pedestrians and Bicyclists, and as shown in Figure 3-11, none of the proposed Southern Corridor build alternatives would impact any of these existing trail systems. In addition, the proposed Southern Corridor would provide a benefit to proposed future trails by providing a link with other trails in the study. The proposed future trails bisected by the Southern Corridor alternatives are on private land. Overall there would be no “use” under Section 4(f).

Trails. As discussed in Section 3.3.9, Recreation Resources, and as shown in Figure 3-10, Recreational Resources, the three trails in the study area are the Honeymoon Trail, Temple Trail, and Dominguez-Escalante Trail. None of these trails are marked or defined within the study area. In addition, these trails are not eligible for the NRHP. Because these trails are not eligible for the NRHP and are not defined in the study area, there would be no 4(f) use. Therefore, these trails

are not evaluated further. Additionally, the Dominguez-Escalante trail is listed as a national historic trail and is exempt from Section 4(f).

In addition to the above resources, no other public recreational facilities would be impacted, and therefore no 4(f) use would occur.

5.2.4 Warner Ridge/Fort Pearce ACEC

This 4,281-acre ACEC is southeast of St. George and within the Sand Mountain SRMA. This area is currently accessible for mining and is not considered a wildlife refuge by BLM. However, BLM has recommended that the area should no longer be accessible for mining. The BLM Resource Management Plan states that BLM will work with the sponsors of the Southern Corridor to define the environmentally preferred alternative through the area. The BLM Record of Decision and Resource Management Plan note the following regarding the Southern Corridor:

- BLM will continue to work with project sponsors to further identify and analyze a suitable route for the Southern Transportation Corridor. This action will be considered within the scope of the Resource Management Plan.
- **Warner Ridge/Fort Pearce ACEC.** BLM will work with sponsors of the Southern Corridor to define an environmentally preferred route through the area that will minimize impacts to the resources being protected.

BLM has been involved in the Southern Corridor planning process and has helped to develop an alignment through the ACEC that avoids impacts to sensitive resources and benefits these resources by controlling unauthorized recreation access to closed areas. Because the Warner Ridge/Fort Pearce ACEC does not currently meet the “refuge” characteristics that are protected under Section 4(f), it is not evaluated as a 4(f) property. BLM has concurred with this determination (see Appendix I, Section 4(f) Properties). FHWA and UDOT will continue to coordinate with BLM to avoid and minimize impacts to this ACEC.

5.3 Use of Section 4(f) Properties

No Section 4(f) properties are used by the build alternatives.